

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

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CHARMANE SMITH,  
Plaintiff,

vs.

CREDIT ONE BANK,  
Defendant.

2:18-cv-02030-RFB-VCF

**REPORT AND RECOMMENDATION FOR  
DISMISSAL**

On October 30, 2018, the Court granted Plaintiff Charmane Smith's application to proceed *in forma pauperis* and dismissed the complaint without prejudice. (ECF No. 3). The Court found that the complaint did not contain sufficient details regarding the circumstances of Plaintiff's allegations. (*Id.* at 2-3). The Court gave Plaintiff until December 3, 2018 to file an Amended Complaint and warned that "[f]ailure to timely file an Amended Complaint that addresses the deficiencies noted in this Order may result in a recommendation for dismissal with prejudice." (*Id.* at 3).

Plaintiff has not filed an amended complaint or an objection to the Court's order. In addition, Plaintiff has failed to maintain a current address with the Court as required by LSR 2-2. Notice of the Court's latest order was returned as undeliverable. (ECF No. 4). For the reasons discussed in the Court's October 30, 2018 Order (ECF No. 3), Plaintiff's case should be dismissed.

Accordingly, and for good cause shown,

IT IS RECOMMENDED that this action be DISMISSED and Judgment entered, accordingly.

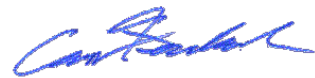
**NOTICE**

Under Local Rule IB 3-2, any objection to this Report and Recommendation must be in writing and filed with the Clerk of the Court within 14 days. The Supreme Court has held that the courts of appeal may determine that an appeal has been waived due to the failure to file objections within the specified time. (*See Thomas v. Arn*, 474 U.S. 140, 142 (1985)). This circuit has also held that (1) failure to file objections within the specified time and (2) failure to properly address and brief the objectionable issues waives the right to appeal the District Court's order and/or appeal factual issues from the order of the District Court. (*See Martinez v. Ylst*, 951 F.2d 1153, 1157 (9th Cir. 1991); *Britt v. Simi Valley United Sch. Dist.*, 708 F.2d 452, 454 (9th Cir. 1983)).

Pursuant to LSR 2-2, the Plaintiff must immediately file written notification with the court of any change of address. The notification must include proof of service upon each opposing party or the party's attorney. **Failure to comply with this Rule may result in dismissal of the action.** (*See* LSR 2-2).

IT IS SO RECOMMENDED.

DATED this 4th day of December, 2018.



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CAM FERENBACH  
UNITED STATES MAGISTRATE JUDGE